

REMARKS

Claims 1-73 were pending in this application. Claims 9-18, 27-35, and 51-73 have been withdrawn. Claims 1-8, 19-26 and 36-50 remain for examination in this application, including independent claims 1, 19, and 36.

Claims 1-8, 19-26, and 36-50 have again been rejected under 35 U.S.C. §103(a) as obvious over Markowitz, Cannon and what the Examiner characterizes as Applicants' admitted prior art.

Applicants previously have explained their claimed invention and how the cited references do not affect the patentability of their claims. (See the Amendment and Response dated April 11, 2003.) Only part of that explanation is repeated and augmented here in support of the present claim amendments, so that Applicants' prior response should be reviewed for a more detailed discussion of the patentability of Applicants' claimed invention over the cited art.

By way of background and illustration, claim 1 describes a method of placing graphical objects on a page, such as a webpage that is accessible by a user over the Internet. Each graphical object includes a link to information that can be invoked by an event, such as by a user clicking on the link with a computer pointing device. In the method of claim 1, performance data associated with the likelihood of the event occurring for each object is stored, where the performance data may be used, for example, to calculate the likelihood that a user will click on the object (click-through percentage). The graphical objects are arranged on the page according to the performance data. Thus, for example, graphical objects can be arranged in descending order on a webpage according to click-through percentage (e.g., one embodiment of claims 2 and 4), or click-through percentage multiplied by a weighting factor such as a cost-per-click (e.g., one embodiment of claims 3, 6 and 7).

In the "Response to Arguments" section of the Office Action, the Examiner notes that claim 1 does not explicitly recite that multiple objects are arranged relative to one another on the page according to the stored performance data. By the present amendments, claim 1 has been amended to clarify that a plurality of graphical objects are placed on the page, and the objects are arranged relative to one another on the

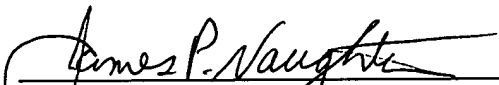
page according to the performance data. Independent claims 19 and 36 have also been amended to recite that a plurality of graphical objects are arranged relative to one another on the page.

This feature is not described in or suggested by Markowitz, as explained in Applicants' prior response, and Cannon does not cure this deficiency of Markowitz. For this reason, in addition to other distinctions of Applicants' claimed invention over the cited art, as explained in the prior response, Applicants submit that the claims as presently amended are patentable over the cited art.

In addition, Applicants have amended independent claims 1 and 19 ("one of a link to information" and "comprising ~~the steps of:~~") to clarify the language and not for reasons related to patentability.

In conclusion, Applicants respectfully request reconsideration and expedited allowance of this application in view of the foregoing amendments and remarks. Should the Examiner deem a telephone conference to be of assistance in advancing the application to allowance, the Examiner is invited to call the undersigned attorney James P. Naughton at (312) 321-4723.

Respectfully submitted,


James P. Naughton
Registration No. 30,665
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200